

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

AIA ENGINEERING LIMITED,

Plaintiff and  
Counter-Defendant,

v.

MAGOTTEAUX INTERNATIONAL S/A  
and MAGOTTEAUX, INC.,

Defendants/Counterclaim  
Plaintiffs.

MAGOTTEAUX INTERNATIONAL S/A  
and MAGOTTEAUX, INC.,

Third Party Plaintiffs,

v.

VEGA INDUSTRIES, LTD., INC.,

Third Party Defendant.

Civil Action No. 3:09-cv-00255

Judge William J. Haynes, Jr.

*OPEN  
This action  
is ORTHOD, but  
only as to damages  
measure. The Cen-  
nec-V is not at issue  
in this action.*

*LAW & CO.  
1-26-12*

**MOTION TO REOPEN DISCOVERY**

Defendants, counterclaim plaintiffs and third party plaintiffs, Magotteaux International S/A and Magotteaux, Inc. (collectively, "Magotteaux"), respectfully move to reopen discovery in this action. As grounds for this motion Magotteaux states as follows.

1. On October 11, 2011, the United States Court of Appeals for the Federal Circuit reversed this Court's grant of summary judgment of invalidity of U.S. Patent No. RE39,998 (the "RE'998 patent") under 35 U.S.C. § 251 and remanded this action for further proceedings. (Docket Entry Nos. 184, 184-1). Up until this Court's summary judgment ruling of September 3, 2010 (Docket Entry Nos. 169, 170), the parties had been proceeding under this Court's First